

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

WENDELL DAVIS,)
)
 Plaintiff,)
)
 v.) Case No. 4:22-cv-00902-SEP
)
 CITY OF ST. LOUIS, et al.,)
)
 Defendants.)

PLAINTIFF'S MOTION FOR LEAVE TO AMEND THE COMPLAINT

1. On August 15, 2023, Plaintiff filed his motion to compel the FIU Audit against the City of St. Louis. As of today's date, that motion has still not been ruled upon.

2. On Friday, September 27, 2024, in *Ball-Bey v. Chandler*, counsel for the City of St. Louis filed a redacted version of the FIU Audit. This is the first time that this document has been made public, in redacted or unredacted form.

3. The City of St. Louis has, for years, fought to keep the FIU Audit away from the public.

4. The Audit describes a systemic and intentional failure to supervise the Force Investigation Unit (“FIU”) from 2014-2018.

5. This newly-public evidence provides further support for Plaintiff's prior claims that when he was shot, on August 31, 2017, the City of St. Louis was deliberately indifferent to the risk that police officers of the department would use excessive force against civilians.

6. Because of the discovery of this newly-public information, Mr. Davis hereby moves to amend his complaint to re-plead his *Monell* claim against the City of St. Louis. The level of intentional and systemic failures described in the Audit not only “plausible” but highly likely.

7. Plaintiff respectfully asks leave of this Court to amend his complaint.

Dated: October 11, 2024

Respectfully Submitted,

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